

# COTTONWOOD HEIGHTS

## ORDINANCE NO. 184

### AN ORDINANCE AMENDING TITLE 12, "SUBDIVISIONS"

**WHEREAS**, the "Municipal Land Use, Development, and Management Act," UTAH CODE ANN. §10-9a-101 *et seq.*, as amended (the "*Act*"), provides that each municipality may enact an ordinance regulating the subdivision of land within such municipality into saleable lots; and

**WHEREAS**, pursuant to the Act, the municipality's planning commission shall prepare and recommend to the municipality's legislative body a proposed subdivision ordinance, or amendments thereto, that represents the planning commission's recommendations for regulation of subdivisions of land within the municipality; and

**WHEREAS**, the Act also provides certain procedures for the municipality's legislative body to adopt or amend the subdivision ordinance for the City; and

**WHEREAS**, on 12 July 2005, the city council (the "*Council*") of the city of Cottonwood Heights (the "*City*") enacted its Ordinance No. 26 adopting a subdivision ordinance for the City and codifying such ordinance as Title 12 ("*Title 12*") of the City's code of ordinances; and

**WHEREAS**, thereafter, the City's planning commission (the "*Planning Commission*") formulated proposed amendments to Title 12; and

**WHEREAS**, on 5 October 2011, a public hearing was held before the Planning Commission, where citizens were given the opportunity to provide written or oral comment concerning the proposed amendments to Title 12; and

**WHEREAS**, such public hearing before the Planning Commission was preceded by all required legal notices; and

**WHEREAS**, following the public hearing, the Planning Commission recommended Title 12, as amended, to the Council for adoption; and

**WHEREAS**, on 11 October 2011, the Council met in regular meeting to consider, among other things, amending Title 12 as recommended by the Planning Commission; and

**WHEREAS**, after careful consideration of the recommendations of the Planning Commission, public comments, and other relevant input, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to so amend Title 12 as proposed;

**NOW, THEREFORE, BE IT ORDAINED** by the city council of the city of Cottonwood Heights as follows:

Section 1. **Adoption of Amended Title 12.** Title 12 is hereby amended as shown on the attached exhibit, with deletions to current Title 12 ~~struck through~~ or otherwise shown as deletions, and additions to current Title 12 underlined or otherwise shown as additions.

Section 2. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this ordinance (this "**Ordinance**"), whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

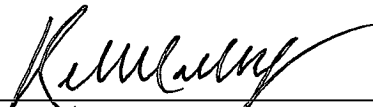
Section 3. **Severability.** It is hereby declared that all parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 4. **Repealer.** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

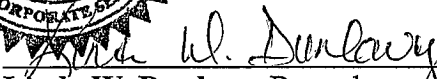
Section 5. **Effective Date.** This Ordinance, assigned no. 184, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's Recorder, or such later date as may be required by Utah statute.

**PASSED AND APPROVED** this 11<sup>th</sup> day of October 2011.

**COTTONWOOD HEIGHTS CITY COUNCIL**

By   
Kelvyn H. Cullimore, Jr., Mayor



  
Linda W. Dunlavy, Recorder

**VOTING:**

|                          |   |                              |
|--------------------------|---|------------------------------|
| Kelvyn H. Cullimore, Jr. | Yea <input checked="" type="checkbox"/> | Nay <input type="checkbox"/> |
| Gordon M. Thomas         | Yea <input checked="" type="checkbox"/> | Nay <input type="checkbox"/> |
| J. Scott Bracken         | Yea <input checked="" type="checkbox"/> | Nay <input type="checkbox"/> |
| Michael J. Peterson      | Yea <input checked="" type="checkbox"/> | Nay <input type="checkbox"/> |
| Tee W. Tyler             | Yea <input checked="" type="checkbox"/> | Nay <input type="checkbox"/> |

**DEPOSITED** in the Recorder's office this 11<sup>th</sup> day of October 2011.

**POSTED** this 12 day of October 2011.

567806.1

## **Title 12**

### **SUBDIVISIONS**

#### **Chapters:**

- 12.04 Definitions**
- 12.08 General Regulations**
- 12.12 Preliminary Plat**
- 12.16 Final Plat**
- 12.20 Design Standards**
- 12.24 Required Improvements**
- 12.26 Vacating or Changing Subdivision Plat**
- 12.28 Property Identification**
- 12.32 Health Department Regulations**
- 12.36 Fees, Administration and Enforcement**
- 12.40 Violations and Penalties**

## Chapter 12.04

### DEFINITIONS

#### Sections:

**12.04.010 Generally.**

**12.04.020 Alley.**

**12.04.030 Bench mark.**

**12.04.040 Building setback line.**

**12.04.050 City.**

**12.04.0650 Collector street.**

**12.04.070 Community development  
director**

**12.04.0860 Council.**

**12.04.0970 Cul-de-sac.**

**12.04.1080 Dwelling.**

**12.04.11090 Easement.**

**12.04.1200 Final plat.**

**12.04.13020 Flag lot.**

**12.04.1405 Health department**

**12.04.1510 Lot.**

**12.04.1620 Lot width.**

**12.04.1730 Major street.**

**12.04.1840 Marginal access street.**

**12.04.1950 Master street plan.**

**12.04.20160 Minor street.**

**12.04.21170 Official map.**

**12.04.22180 Owner.**

**12.04.23190 Parcel of land.**

**12.04.2400 Planning commission.**

**12.04.2510 Preliminary approval.**

**12.04.2620 Preliminary plat.**

**12.04.2730 Subdivision.**

**12.04.2840 Trails.**

**12.04.010 Generally.**

The terms used in this ~~T~~itle shall have the respective meanings set forth in this ~~chapter~~Chapter.

**12.04.020 Alley.**

“Alley” means a public way which affords a secondary means of access to abutting property.

**12.04.030 Bench mark.**

“Bench mark” means a mark affixed to a permanent or semi-permanent object along a line of survey to furnish a datum level.

**12.04.040 Building setback line.**

“Building setback line” means a line within a lot or other parcel of land, so designated on the plat of the proposed subdivision, between which line and the adjacent boundary of the street upon which the lot abuts, the erection of main structure or portion thereof is prohibited.

**12.04.050 City.**

“City” means the city of Cottonwood Heights, Utah.

**12.04.0650 Collector street.**

“Collector street” means a street which carries traffic from minor streets to the major street system, including the principal entrance streets of residential development and the primary circulating streets within such a development.

**12.04.070 Community development  
director.**

“Community development director” means the director of the city’s community development department or, if none, then the city’s planning manager or another designee of the city manager.

**12.04.0860 Council**

“Council,” unless otherwise clearly indicated, means the city council for the city.

**12.04.0970 Cul-de-sac.**

“Cul-de-sac” means a minor street having one open end and being terminated at the other by a vehicular turnaround.

**12.04.1080 Dwelling.**

“Dwelling” means any building or structure, or portion thereof, intended for residential use.

**12.04.11090 Easement.**

"Easement" means the quantity of land set aside or over which a liberty, privilege or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.

**12.04.1200 Final plat.**

"Final plat" means a map or chart of a subdivision which has been accurately surveyed, and such survey marked on the ground so that streets, alleys, blocks, lots and other divisions thereof can be identified.

**12.04.13002 Flag lot.**

"Flag lot" means a lot not fronting on or abutting a public roadway and where access to the public roadway is limited to a narrow private right-of-way.

**12.04.14005 Health department.**

"Health department" means the Salt Lake Valley Health Department.

**12.04.15010 Lot.**

"Lot" means a portion of a subdivision or parcel of land intended as a unit for building development or transfer of ownership.

**12.04.1620 Lot width.**

"Lot width" means the width of the lot measured along the minimum building setback line.

**12.04.1730 Major street.**

"Major street" means a street, existing or proposed, which serves or is intended to serve as a major traffic way and which is designated by the city, on the master street plan or otherwise, as a controlled-access highway, major street, parkway or by equivalent terms suitable to identify streets comprising the basic structure of the street plan.

**12.04.1840 Marginal access street.**

"Marginal access street" means a minor street which is parallel to and adjacent to a major street and which provides access to abutting properties and protection from through traffic.

**12.04.1950 Master street plan.**

"Master street plan" means a plan, ~~labeled "Master Street Plan of Cottonwood Heights"~~ including maps or reports or both, which has been ~~adopted~~ approved by the city under UTAH CODE ANN. § 10-9a-407, as amended ~~planning commission as required by law.~~

**12.04.20160 Minor street.**

"Minor street" means a street, existing or proposed, which is supplementary to a collector or major street and of limited continuity, which serves or is intended to serve the local needs of a neighborhood.

**12.04.21170 Official map.**

"Official map" means any map adopted by the city ~~council~~ under the provisions of UTAH CODE ANN. § 10-9a-407, as amended ~~§.~~

**12.04.22180 Owner.**

"Owner" includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or any combination thereof.

**12.04.23190 Parcel of land.**

"Parcel of land" means a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of the same claimant or person.

**12.04.2400 Planning commission.**

"Planning commission" means the city's planning commission, ~~unless another planning commission is specifically named.~~

**12.04.2510 Preliminary approval.**

"Preliminary approval" means an approval, with or without recommended

alterations, given to a preliminary plat by the planning commission and provides the necessary authority to proceed with the preparation and presentation of the final plat.

**12.04.2620 Preliminary plat.**

"Preliminary plat" means a map or plan of a proposed land division or subdivision.

**12.04.2730 Subdivision.**

"Subdivision" means any land that is divided, re-subdivided or proposed to be divided into two or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on the installment plan or upon any and all other plans, terms and conditions. Subdivision includes:

A. The division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map plat or other recorded instrument; and

B. Divisions of land for all residential and non-residential uses, including land used or to be used for commercial, agricultural and industrial.

This definition shall not apply to the sale or conveyance of any parcel of land which may be shown as one of the lots of a subdivision of which a plat has theretofore been recorded in the office of the county recorder. The word "subdivide" and any derivative thereof shall have reference to the term subdivision as defined in this ~~section~~Section.

**12.04.2840 Trails.**

"Trails" means a system of public recreational pathways located within the city for use by the public for walking, biking and/or horseback riding as designated.

## Chapter 12.08

### GENERAL REGULATIONS

#### Sections:

- 12.08.010 Procedure generally.**
- 12.08.020 Exceptions—Permitted when.**
- 12.08.030 ~~Exceptions—Small~~  
subdivisions~~Final plat.~~**
- 12.08.040 Residential building only.**
- 12.08.050 Appeals.**

#### **12.08.010 Procedure generally.**

Before subdividing any tract or lot or parcel of land into two or more lots, a subdivider shall:

A. Prior to or coincident with the submission of the preliminary plat, file with the city planning commission a completed subdivision information form or forms to be furnished by the city planning commission;

B. File with the city planning commission for examination and subsequent action prints of the preliminary plat prepared in conformance with the provisions of this Title. Prints shall be filed at least 15 days prior to any the planning commission meeting at which the plat is to be considered, and shall be accompanied by a filing fee;

C. Within one year after receiving approval of the preliminary plat ~~by the planning commission~~, submit the original and one copy of the final plat to the city planning commission for final approval or disapproval, as the case may be. The city planning commission may grant a one-year extension of such time period if the request for extension is received prior to the expiration date. In approving any extension, the city planning commission may review and modify or amend the original approval conditions and requirements;

D. Present, after receiving final approval by the city planning commission, the original of the final plat to the community development director for survey and engineering review by the engineering

contractor;

E. The water supply and sewage disposal shall have been approved by the health department;

F. A current commitment for title insurance from an acceptable title company and ~~bond or other~~ acceptable security to assure installation of fire hydrants, lot corner markers and other required or proposed improvements shall be submitted to the city attorney for approval;

G. The community development department will submit the final plat to the mayor for action after approval from the city attorney; and

H. After obtaining final approval from the mayor, the final plat bearing all official approvals as required in this Title must be recorded with the county recorder at the expense of the subdivider. Approval of the final plat by the city planning commission shall be void if the plat is not recorded within one year after the date of approval, unless application for an extension of time is made in writing to the city planning commission and granted during the one-year period.

#### **12.08.020 Exceptions—Permitted when.**

In cases where unusual topographic, aesthetic or other exceptional conditions exist or the welfare, best interests and safety of the general public will be usefully served or protected, variations and exceptions of this Title may be made by the city council ~~mayor~~ after the recommendation of the planning commission, provided, that such variations and exceptions may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Title.

#### **12.08.030 ~~S~~Exceptions—Final plat~~mall~~ subdivisions.**

In standard subdivisions of less than ten lots, except as otherwise required by UTAH CODE ANN. § 10-9a-601 to -611, as amended, the planning commission's functions in

reviewing and approving plats, granting approvals, imposing conditions and performing other actions under this Title 12 may be performed by the city's community development department, in which event applicable references to the planning commission in this Title 12 shall instead be deemed to be references to the city's community development department.

land may be sold by metes and bounds description without the necessity of recording a plat, if all of the following conditions are met:

A. The subdivision layout shall have been prepared by a surveyor and approved in writing by the planning commission, the community development department, the health department, providers of underground facilities, the city attorney and the mayor;

B. The subdivision is not traversed by the mapped lines of a proposed street as shown on the official map or maps of the city or other planning commission studies, and does not require the dedication of any land for street or other public purposes;

C. If the subdivision is located in a zoned area and each lot in the subdivision meets the frontage, width and area requirements of the zoning title or has been granted a variance from such requirements by the board of adjustment;

D. All preliminary plat requirements shall be complied with;

E. All provisions of chapter 12.24 of this title shall be complied with; and

F. The water supply and sewage disposal shall have been approved by the health department.

G. Any easements required by providers of underground facilities or for drainage, shall be on a separate document approved by the city attorney.

H. The city attorney may require submission of a current commitment for title insurance from an acceptable title company and bond or other acceptable security to assure

installation of fire hydrants, lot corner markers and other approved improvements.

#### **12.08.040 Residential building only.**

Except for a dwelling groups or planned unit developments allowed in the zoning ordinance, not more than one main dwelling structure shall occupy any one lot.

#### **12.08.050 Appeals.**

A. Any person shall have the right to appeal to the city's appeal authority under Chapter 19.92 of this code~~council~~ any decision rendered by the planning commission under this ~~chapter~~Chapter by filing a letter, stating the reasons for appeal, with the city's appeal authority ~~council~~ within ten days after such the planning commission decision. After receiving the appeal, the appeal authority ~~council~~ may appoint a hearing officer, and the hearing officer shall have the power and authority to preside at and conduct one or more hearings to resolve the matter.

B. After hearing the appeal, the appeal authority shall issue a written decision, including hearing officer shall submit to the council a proposed findings of fact, conclusions of law, and order. The council may adopt and enter the proposed findings of fact, conclusions of law, and order or may enter its own findings of fact, conclusions of law, and order providing such order is based upon and supported by the record. The appeal authority~~council's~~ order may affirm, reverse, alter or remand for further review and consideration, the underlying decision of the planning commission.



## Chapter 12.12

### PRELIMINARY PLAT

#### Sections:

- 12.12.010 Required information.
- 12.12.020 Appraisal of interested parties.
- 12.12.030 ~~A~~Planning commission approval or disapproval.

#### 12.12.010 Required information.

A. The preliminary plat, drawn to scale (generally 1" = 20' or 1" = 30') on paper 21" by 30", shall contain the information specified in this ~~section~~Section and comply with the following requirements:

1. ~~Description and Delineation.~~ In a title block located in the lower right-hand corner the following shall appear:

a. The proposed name of the subdivision, which name shall be distinct from any subdivision name on a plat recorded in the Salt Lake County Recorder's office and must be approved by the community development department;

b. The location of the subdivision, including:

i. Address, and

ii. Section, township and range;

c. The names and addresses of the owner, the subdivider, if different than the owner, and of the designer of the subdivision;

d. The date of preparation, scale and the north arrow.

2. ~~Existing Conditions.~~ The plat shall show:

a. The location of and dimensions to the nearest bench mark or monument on two opposite sides of the plat;

b. The boundary lines of the proposed subdivision indicated by a solid heavy line and the total approximate acreage encompassed thereby;

c. All property under the control of the subdivider, even though only a portion is being subdivided. Where the plat submitted covers only a part of the subdivider's tract, a

sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in the light of existing master street plans or other planning commission studies;

d. All streets, other public ways, areas reserved for public purposes, parks and other public open spaces on or adjacent to the proposed subdivision;

e. The location of existing permanent buildings and structures on or within 50 feet of the proposed subdivision;

f. Existing rights-of-way and grants of record for underground facilities including, but not limited to, sewers, water mains, culverts or other underground facilities, indicating pipe sizes, grades, manholes and exact location;

g. Existing ditches, canals, natural drainage channels, and open waterways and proposed realignments;

h. Boundary lines of adjacent tracts of unsubdivided land;

i. Contour at vertical intervals of not more than two feet. The 100 year flood level of all watercourses, if any, shall be indicated in the same datum for contour elevations; and

j. Fences on or adjacent to the subject property.

k. Nearest installed fire hydrants within 500 feet of the proposed subdivision.

3. ~~Properties located in the foothills and canyons overlay zone.~~ In addition to the preceding, the preliminary plat for subdivision of a property located in the sensitive lands~~foothills and canyons~~ overlay zone shall show:

a. A graphic depiction of existing slope characteristics of the property, illustrating the following:

(i) Areas with slopes less than 30%~~thirty percent;~~

(ii) Areas with slopes thirty to 40%~~forty percent;~~

(iii) Areas with slopes 40-50%~~forty to fifty~~

percent; and

(iv) Areas with slopes greater than 50%~~fifty percent~~.

b. Identified natural hazards, including but not limited to, areas potentially subject to avalanche, liquefaction, and/or surface fault rupture;

c. Water course, natural drainage channels, storm water runoff channels, gullies, stream beds, wetlands, etc.

4. ~~Proposed Subdivision Plan.~~—The proposed subdivision plan shall show:

a. The layout of streets, showing location, widths and other dimensions of (designated by actual or proposed names and numbers) proposed streets, crosswalks, alleys, easements and street lights;

b. The layout, numbers and typical dimensions of lots, and in areas subject to sensitive lands foothills and canyons overlay zone provision, designation of buildable areas on individual lots;

c. Parcels intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision;

d. Building minimum setback lines;

e. Easements for water, sewers, drainage, utility lines and other purposes, if required by the planning commission; and

f. A tentative plan or method by which the subdivider proposes to handle storm water drainage for the subdivision.

B. Where required, evidence of any agreements with adjacent property owners relative to the subdivision development shall be presented to the community development department in writing prior to its approval of the plat. These agreements shall include those relative to drainage, easements, protection strips, utilities, improvement bonds, etc.

#### **12.12.020 Appraisal of interested parties.**

The planning commission may withhold approval for one year of a preliminary plat submitted for the division of property, a part or all of which is deemed suitable by the

planning commission for schools, parks, playgrounds, streets, highways or other areas for public use, after apprising the proper agencies in writing of the property owner's intent to subdivide. If any such areas proposed for public use have not been freely dedicated to the public by the owner or have not been purchased at a fair price by the proper agency within one year from the date of notification, such areas may be divided into lots and sold in accordance with the provisions of this Title.

#### **12.12.030 ~~Planning commission~~A approval or disapproval.**

Following a review of the preliminary plat by the planning commission, the community development department and other interested city departments, the planning commission shall act on the plat as submitted or modified. The planning commission shall not act upon any preliminary plat unless written approval has been received from the community development department and such other concerned agencies, including, but not limited to agencies and departments of city government, as the planning commission shall from time to time require. If the plat is approved, the planning commission shall express its written approval with whatever conditions reattached, by returning one copy of the preliminary plat, signed by the community development director or his designated representative, to the subdivider. One other signed copy shall be given to the community development department, one copy shall be retained by the planning commission and one other copy of the approved plat returned to the developer's engineer. If the preliminary plat is disapproved, the planning commission shall indicate its disapproval in writing and give reasons for such disapproval by means of signed copies. The receipt of a signed copy of the approved preliminary plat shall be authorization for the subdivider to proceed with the preparation of specifications for the minimum improvements required in Cchapter

| 12.24 of this ~~code~~<sup>title</sup> and with the preparation  
of the final plat.

## Chapter 12.16

### FINAL PLAT

#### Sections:

**12.16.010 Required information.**

**12.16.020 Private streets.**

#### **12.16.010 Required information.**

The final plat, which must be prepared by a licensed land surveyor on a sheet of approved reproducible ~~M~~ylar and made with approved waterproof black India ink with text not less than one-tenth inch in size, shall be so drawn that the top of the sheet faces either north or east, whichever accommodates the drawing best, shall contain all information required on the preliminary plat (except counties), and shall comply with the following:

A. ~~Description and Delineation.~~ The final plat shall show:

1. The approved name of the subdivision, in the Owners Dedication Section and in the Identification Block;

2. Accurate angular and lineal dimensions for all lines, angles and curves used to describe boundaries, blocks, lots, streets, alleys, easements, areas to be reserved for public use and other important features. Boundary lines shall be drawn heavier than street and lot lines;

3. The number and length and width of the blocks and lots, and the names of streets. Streets shall be numbered and may be named and such designations shown on the plat. Lot lines shall show dimensions in feet and hundredths;

4. Radii, internal angles, points and curvatures, tangent bearings and length of all arcs;

5. The accurate location of all monuments, fire hydrants and street lights to be installed shown by the appropriate symbol. All United States, state, county or other official bench marks, monuments or triangulation stations in or adjacent to the

property, shall be preserved in precise position;

6. The dedication to the city of all streets, highways and parcels of land intended for public use included in the proposed subdivision. Subdivision monuments shall be installed by the subdivider's engineer or land surveyor at such points designated on the final plat as are approved by the community development department. Monuments acceptable to the city shall be placed prior to the release of any improvement bond;

7. Physical markers shall be placed at each lot corner in accordance with state statutes;

8. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses of all property owners;

9. The dedication of easements, rights-of-way or otherwise for underground utilities; and

10. Where it is proposed that streets be constructed on property controlled by a public agent or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the city attorney.

B. ~~Standard Forms for the Following.~~ The final plat shall require:

1. A registered land surveyor's certificate of survey;

2. The owner's certificate of dedication; including the name of the subdivision.

3. Owner's acknowledgment before an officer authorized by law to take the acknowledgement of conveyances of real property;

4. Owner's or operator's of the underground and utility facilities certificate of approval;

5. The ~~city~~—planning commission's

certificate of approval;

6. The health department's certificate of approval;

7. The community development department's certificate of approval;

8. The city attorney's certificate of approval;

9. The council's certificate of approval;  
and

10. A one-and-one-half by five-inch space in the lower right-hand corner of the drawing for the county recorder's use.

| C. The applicant shall submit a computer file of the plat. The file must be compatible with the city's autocad mapping system.

| ~~D.C. Recording.~~ After the map or plat has been acknowledged, certified and approved, the owner of the land shall file and record it in the Salt Lake County Recorder's office. The Salt Lake County Recorder's office may make requirements beyond those specified herein which requirements may upon adoption by the city become requirements of the city.

#### **12.16.020 Private streets.**

Whenever a subdivision is approved with private streets, the final subdivision plat shall include a statement that no city maintenance is provided on the private streets.

## Chapter 12.20

### DESIGN STANDARDS

#### Sections:

- 12.20.010 Departmental standards.
- 12.20.020 Design standards generally.
- 12.20.025 Design standards for subdivisions located in the sensitive lands foothills and canyons overlay ~~\_\_\_\_\_ overlay zone.~~
- 12.20.030 Blocks.
- 12.20.040 Lots.
- 12.20.050 Protection strips.
- 12.20.060 Flag lots permitted.

#### 12.20.010 Departmental standards.

Standards for design, construction specifications and inspection of street improvements, curbs, gutters, sidewalks, storm drainage and flood control facilities shall be prepared by the community development department. Standards for water distribution and sewage disposal facilities shall be prepared by the health department, and similar standards for fire hydrants shall be prepared by the Unified Fire Authority or other fire and emergency protection services provider to the city. ~~fire department.~~ All subdividers shall comply with the standards established by such departments and agencies of the city, ~~provided that such standards shall be approved by the city council.~~

#### 12.20.020 Design standards generally.

The design of the preliminary and final plats of the subdivision in relation to streets, blocks, lots, open spaces and other design factors shall be in harmony with design standards recommended by the planning commission and by other departments and agencies of the city government. ~~Design standards shall be approved by the city council and shall include provisions as provided in sections 12.20.030 through 12.20.050.~~

#### 12.20.025 Design standards for subdivisions located in the sensitive lands foothills and canyons overlay ~~\_\_\_\_\_ zone.~~

A. ~~Design shall further purposes and goals of overlay zone.~~ In subdivisions proposed for development in the sensitive lands overlay zone (see Chapter 19.72 in Title 19, Zoning), the general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision shall be designed in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of the sensitive lands foothills and canyons overlay zone.

B. ~~Consider/Apply zoning development standards.~~ Applicant shall consider and apply the development standards set forth in Chapter 19.72 in (1) the layout of the subdivision and (2) the designation of buildable areas on individual lots (see subsection c of this section.) in order to avoid creating lots or patterns of lots that will make compliance with such development standards difficult or infeasible.

C. ~~Designations of buildable areas.~~ All preliminary and final subdivision plats shall outline buildable areas on each lot intended to accommodate planned principal and accessory structures.

D. ~~Clustering of lots.~~ Clustering of lots within a subdivision is strongly encouraged and may be required by the planning commission to meet the requirements of this provision and the overlay zone.

#### 12.20.030 Blocks.

A. Dedicated walkways through the block may be required where access is necessary to a point designated by the planning commission. Such walkways shall be a

minimum of ten feet in width, but may be required to be wider where determined necessary by the planning commission. The subdivider shall surface the full width of the walkway with a concrete or asphalt surface, install a chain-link fence or its equal six feet high on each side and the full length of each walkway and provide, in accordance with the standards, rules and regulations, barriers at each walkway entrance to prevent the use of the walkway, by any motor vehicle or by any other nonmotorized vehicle wider than four feet.

B. Blocks intended for business or industrial use shall be designed specifically for such purposes with adequate space set aside for off-street parking and delivery facilities.

#### **12.20.040 Lots.**

A. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings, and be properly related to topography, to the character of surrounding development and to existing requirements.

B. All lots shown on the preliminary and final plats must conform to the minimum requirements of Title 19, Zoning, ~~the zoning title, if any,~~ for the zone in which the subdivision is located, and to the minimum requirements of the health department for water supply and sewage disposal. The minimum width for any residential building lot shall be as required by the zoning title.

C. Each lot shall abut on a street shown on the subdivision plat or on an existing publicly dedicated street which has become public by right of use and which is more than 26 feet wide. Double frontage lots shall be prohibited except where unusual conditions make other designs undesirable.

D. Side lines or lots shall be approximately at right angles, or radial to the street lines.

E. In general, all remnants of lots below minimum size must be added to adjacent lots,

rather than allowed to remain as unusable parcels.

#### **12.20.050 Protection strips.**

Where subdivision streets parallel contiguous property of other owners, the subdivider may, upon approval of the planning commission, retain a protection strip not less than one foot in width between the street and adjacent property; provided, that an agreement, approved by the city attorney, has been made by the subdivider, contracting to deed to the then owners of the contiguous property, the protection strip for a consideration named in the agreement; such consideration to be not more than the fair cost of land in the protection strip, the street improvements properly chargeable to the contiguous property, plus the value of one-half the land in the street at the time of agreement, together with interest at a fair rate from the time of agreement until the time of the subdivision of such contiguous property. One copy of the agreement shall be submitted by the city attorney to the planning commission prior to approval of the final plat. Protection strips shall not be permitted at the end of or within the boundaries of a public street or proposed street or within any area intended for future public use.

#### **12.20.060 Flag lots permitted.**

A flag lot may be approved by the planning commission upon its finding that, due to topographic conditions, sensitive land concerns, or other requirements of this Title, streets cannot or should not be extended to access substantial buildable areas that would otherwise comply with the minimum lot standards of the underlying zone, subject to compliance with all of the following conditions:

A. Flag lots may only be created from existing legal lots. Only one flag lot may be subdivided from an existing legal lot.

B. The flag lot shall be used exclusively for a single-family residential dwelling and

shall be located to the rear of the original (front) lot.

C. The main body of a flag lot, exclusive of the private lane accessing it, shall meet the required lot area, lot width, and front, back and side yard requirements for the zone in which it is located (including the enhanced lot area requirement described in subsection G of this section), and all other applicable provisions of this code. The area of the private lane accessing the flag lot may not be included to compute the required minimum area of the main body of the flag lot.

D. The original (front) lot (i.e.—the lot which remains from the original parcel after the creation of the flag lot and the private land accessing the flag lot) shall meet the required lot area, lot width, and front, back and side yard requirements for the zone in which it is located, and all other applicable provisions of this code. The area of the private lane accessing the flag lot may not be included to compute the minimum required area of the front or original lot.

E. Maximum height. The maximum height of any structure on a flag lot shall be 26 feet.

F. The setbacks for flag lots in the R-1 and R-2 zones shall be as follows:

1. Front: 20 feet.
2. Sides: 20 feet on each side.
3. Rear: 20 feet.

G. The setbacks for flag lots in the RR and F zones shall be as follows:

1. Front: 30 feet.
2. Sides: 30 feet on each side.
3. Rear: 30 feet.

H. The minimum lot area of a flag lot, exclusive of the private access lane, shall be one hundred twenty five percent (125%) of the minimum lot area required in the underlying zone.

I. The private lane accessing a flag lot shall be held either in fee title as part of the flag lot, or the private lane may be evidenced by a recorded express, irrevocable easement

for ingress and egress, benefiting the flag lot, over and across the original (front) lot. The form and content of the easement agreement must be acceptable to and approved by the city attorney.

J. No more than two (2)-flag lots may be contiguous to each other and abut upon the same public street. Two (2)-adjoining flag lots may share a common private lane.

K. The private lane accessing a flag lot shall front on a dedicated public street and shall not exceed 150 ~~one hundred fifty~~ feet (150') in length. Private lanes up to a maximum length of 100 ~~one hundred~~ feet (100') accessing a flag lot shall include a paved driveway that is at least 12 ~~twelve~~ feet (12') wide and a landscaped buffer that is at least four feet (4') wide on the outside boundary of the paved driveway. Private lanes up to a maximum length of 150 ~~one hundred fifty~~ feet (150') accessing a flag lot shall include a paved driveway that is at least 20 ~~twenty~~ feet (20') wide and a landscaped buffer that is at least four feet (4') wide on the outside boundary of the paved driveway. The buffer area is provided to help screen adjacent properties and to provide a drainage area for the paved portion of the private lane.

L. The private lane accessing a flag lot also is subject to approval by the Unified Fire Authority or other fire and emergency protection services provider to the city. Such approval may include a requirement of a designated turnaround area conforming to the fire authority's design and construction standards. Structural permeable surfaces are encouraged in designated fire turnaround areas, subject to the fire authority's approval.

M. A solid visual barrier six feet (6') in height shall be installed on the outside property line of the flag lot stem, running from the front setback of the original (front) lot to the rear property boundary of the flag lot.

N. The address of the flag lot dwelling shall be clearly visible from or posted at the abutting public street.



## Chapter 12.24

### REQUIRED IMPROVEMENTS

#### Sections:

- 12.24.010 Certification of improvements.
- 12.24.020 Sewers.
- 12.24.030 Storm drainage.
- 12.24.040 Street improvements.
- 12.24.050 Arrangement of streets.
- 12.24.055 Utilities and facility systems to be underground.
- 12.24.060 Pavement requirements.
- 12.24.070 Curbs, gutters, sidewalks and park strips.
- 12.24.080 Street name signs.
- 12.24.090 Trails.
- 12.24.100 Fire hydrants.
- 12.24.110 Storm water inlets and catch basins.
- 12.24.120 Open ditches and canals—Permitted when.
- 12.24.130 Fencing requirements.
- 12.24.140 Construction of improvements.
- 12.24.150 Responsibility for damages.
- 12.24.160 Performance bonds.
- 12.24.170 Exemptions.
- 12.24.180 Fee in lieu of required improvements.
- 12.24.190 Street lighting.
- 12.24.010 Certification of improvements.

No final plat of a subdivision of land shall be recorded, except as provided in ~~section~~Section 12.08.030, without receiving a statement signed by the community development department certifying that the improvements described in the subdivider's plans and specifications together with the city's bond calculations meet the minimum requirements of all ordinances of the city, that they comply with the standards and requirements of the health department, the community development department, the

planning commission and the Unified Fire Authority or other fire and emergency protection services provider to the city.~~city fire department.~~

#### 12.24.020 Storm Sewers.

Storm sewers shall be constructed throughout the entire subdivision to carry off water from all inlets and catch basins, and shall be connected to an adequate outfall. A storm water drainage system subject to the approval of the community development department shall be provided, and shall be separate and independent of the sanitary sewer system. The final plans for the drainage system shall be prepared by a licensed engineer not in the employ of the city. The system shall be designed to convey a one in 100-year storm through the subdivision without inundating homes or other structures built on the lots.

#### 12.24.030 Storm drainage.

No ditch or canal shall be approved as suitable for the use of storm drainage water without the written permission of the appropriate ditch or canal company or of the water users for such use. No ditch or canal shall be used for storm waters unless adequately improved to handle such water as might be reasonably expected to flow from canal and ditch water, subdivision runoff water, and other water expected to reach such canal or ditch. No ditch, canal or other waterway shall be permitted within property dedicated or to be dedicated for public use, except in city approved pipe systems. The subdivider shall remove such waterways from property to be so dedicated prior to the construction of required off-site improvements.

#### 12.24.040 Street improvements.

The subdivider shall submit a complete set of construction plans and profiles of all streets, existing and proposed, within the subdivision to the community development

department. Plans and profiles are to be prepared by a licensed professional engineer not in the employ of the city and shall be accompanied by the final plat. The community development department shall within a reasonable time not to exceed 20 days from the receipt of the plans and profiles, notify the subdivider of approval, and in case of disapproval the reasons therefor.

A. At least ten days prior to the commencement of construction, the subdivider shall furnish to the community development department three complete sets of approved construction plans and profiles of all streets, existing and proposed. Such plans and profiles shall include:

1. The designation of limits of work to be done;
2. The location of the bench mark and its true elevation according to city datum, all profiles to be referred to that datum;
3. Profiles which indicate the finished and existing grades for each side of the street. Separate profiles, clearly designated, shall be made for each side of the street;
4. Construction plans which include the details of curb and gutter and street cross-sections, location and elevation of manholes, catch basins and storm sewers, elevations and location of fire hydrants and any other detail necessary to simplify construction;
5. Complete data for field layout and office checking;
6. On curb returns, at least two additional control points for elevation besides those at points of curvature. Control points shall be staked in the field to insure drainage at intersection; and
7. The street address of the project.

#### **12.24.050 Arrangement of streets.**

The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas and shall provide access to unsubdivided adjoining areas insofar as such continuation or access shall be deemed

necessary by the planning commission. New streets must connect with existing public streets.

#### **12.24.055 Utilities and facility systems to be underground.**

All utility and facility systems including, but not limited to, all poles, towers, wires, lines, cables, conduits, and pipes providing service such as electricity, telephone, telegraph, cable television, gas, water, sewer, steam or petroleum including service drops, distribution systems, and transmission systems shall be placed underground in accordance with city ordinances and policies.

#### **12.24.060 Pavement requirements.**

A. All streets within the city shall be improved with pavements bounded by integral concrete curbs and gutters to an overall width in accordance with the standards, rules and regulations approved by the city council.

B. Pavements shall be constructed in accordance with the requirements of the standards, rules and regulations approved by the city council.

#### **12.24.070 Curbs, gutters, sidewalks and park strips.**

A. Curbs and gutters on all streets shall be concrete of the standard high back-type unit, not less than two feet, six inches in overall width, and not less than six inches thick where the curb abuts the street pavement. Low back curb may be installed in cul-de-sacs and wherever approved by the city engineer.

B. All curb corners shall have a radius of not less than 25 feet.

C. The subdivider shall install curbs, gutters and sidewalks on existing and proposed streets in all subdivisions.

D. The subdivider may be required by the city to install landscaping in the area between the curb and sidewalks. The type and amount of landscaping required shall be at the discretion of the community development director and shall vary within the

development.

E. Waterways shall meet APWA standards.

F. The plants and other landscaping material that best serve the intended functions shall be used. Landscaping material shall be appropriate for local environment, soil conditions and availability of water.

#### **12.24.080 Street name signs.**

Street name signs, conforming to the design and specifications and in the number provided by the standards, rules and regulations of the community development department, shall be provided at by the developer's cost at all street intersections. Fabrication and installation shall be made by the city to insure uniformity.

#### **12.24.090 Trails.**

The subdivider shall dedicate (or, at the city's option, grant a public easement for) trails necessary to provide public access to public lands and other trails shown on the city's general plan or required by the planning commission. Trails shall be located so that the route is feasible for both construction and long term maintenance; insurmountable physical obstructions shall be avoided. The specific location of the trail right-of-way shall be verified on the ground before approval of the subdivision. The amount of land required for trail dedication without compensation shall not exceed five percent of the land within the subdivision excluding trails located within a standard street right-of-way.

#### **12.24.100 Fire hydrants.**

Fire hydrants shall be installed in all subdivisions in accordance with the regulations of the Unified Fire Authority or other fire and emergency protection services provider to the city.~~fire department.~~

#### **12.24.110 Storm water inlets and catch basins.**

Storm water inlets and catch basins shall

be provided within the roadway improvements at points specified by the community development department, as necessary to collect the runoff from a storm of one in ten year intensity wherever drainage exceeds carrying capacity of curb and gutter or waterway at that point, or as directed by the city engineer.

#### **12.24.120 Open ditches and canals— Permitted when.**

Open ditches or canals shall not be allowed within or adjoining a subdivision except along rear or side lot lines. The subdivider shall work with irrigation, drainage or ditch companies as to:

A. Methods of covering, realigning or eliminating ditches or canals within or adjoining the subdivision;

B. The size of pipe and culverts required; and

C. The responsibility for the periodic inspection, cleaning and maintenance of such ditches, pipes and culverts. In cases where canals or ditches cross public roads or proposed public roads, specifications and grades for pipe or culvert must be approved by the community development department.

#### **12.24.130 Fencing requirements.**

The subdivider shall install a six-foot, nonclimbable chain-link fence, or its equivalent, in conformance with the standards and rules and regulations adopted as provided in Ssection 12.20.010, along all open ditches, canals or waterways, nonaccess streets, open reservoirs or bodies of water, railroad rights-of-way and other such features of potentially hazardous nature on, crossing or contiguous to the property being subdivided, except along those features which the planning commission shall determine would not be a hazard to life, or where the conforming structure would create a hazard to the safety of the public. Fencing and landscaping along nonaccess streets shall be reviewed and approved by the planning commission to provide a uniform

and esthetically pleasing streetscape.

**12.24.140 Construction of improvements.**

A. 24 hours prior to construction of any required improvements, the community development department shall be notified so that proper inspection may be provided and so that it may be determined whether or not proper authorization and/or required permits for construction have been obtained.

B. As-built plan and profile drawings shall be furnished to the community development department of all street improvements, storm sewer, sanitary sewer and water systems upon completion. The city shall retain the improvement bond until such plans have been submitted.

C. Extreme care should be exercised on the part of the subdivider, the contractor and all other associated agencies for the protection and maintenance of all existing or newly placed improvements or facilities within the roadway sections during development.

D. Prior to any bond release, the subdivider shall install metal front lot corners at an offset in the top back of curb or sidewalk for all lots within the plat.

**12.24.150 Responsibility for damages.**

All damages to any bonded improvements or facilities incurred during the period of development shall be the sole responsibility of the subdivider and must be replaced to the satisfaction of the city before final acceptance of any improvements caused by the subdivider or any agents of the subdivider shall be repaired by the subdivider to the satisfaction of the city prior to final acceptance and bond release.

**12.24.160 Performance bonds.**

A. In lieu of actual completion of the improvements listed in this Title~~chapter~~, subdividers may file with the city a cash bond, an escrow agreement, or an irrevocable letter of credit in an amount specified by the

community development department to assure actual construction of such improvements within a two-year period. 25 percent of the bond amount for public improvements such as curb, gutter, sidewalk, road surfacing, flood control and fire hydrants shall extend for a one-year period beyond the date the improvements are completed to guarantee replacement of defective public improvements. The bond or agreement shall also secure all lot improvements on individual lots on the subdivision which are required in this Title~~chapter~~. The bond or other security shall be approved by the city attorney prior to plat recordation.

B. If the city determines that the required improvements should be completed in a specified sequence and/or in less than a two-year period in order to protect the health, safety and welfare of the city or its residents from traffic, flood, drainage or other hazards, it may require in approving the final subdivision plat that the improvements be installed in a specified sequence and period which may be less than two years and shall incorporate such requirements in the bond.

C. Inspections shall be made within seven calendar days from the date of the request. If inspection shows that city standards and specifications have been met in the completion of such improvements, the bond shall be released within seven days from the time of inspection and filing of the as-built plan and profile drawings. If the bonds are not released, refusal to release and the reasons therefor shall be given to the subdivider in writing within 14 days from the time of the inspection.

**12.24.170 Exemptions.**

The city and public and quasi public uses shall, upon the submission of a letter guaranteeing the improvements required by this ~~chapter~~Chapter, be exempt from the provisions of Ssection 12.24.160, subject to approval of the community development director.

**12.24.180 Fee in lieu of required improvements.**

A. Where present conditions exist which make it unfeasible or impractical to install any required public improvements, the city may require the subdivider to pay to the city a fee equal to the estimated cost of such improvements as determined by the director of community development. Upon payment of the fee by the developer, the city shall assume the responsibility for future installation of such improvements.

B. The treasurer shall establish a special account for such fees and shall credit to such account a proportioned share of interest earned from investment of city monies. Records relating to identification of properties for which fees have been collected, fee amounts collected for such properties and money transfer requests shall be the responsibility of the community development department.

**12.24.190 Street lighting.**

A. The subdivider shall install street lights. The street lighting shall be 100-watt (5600 lumens) high-pressure sodium vapor luminaire with photo cell. A 100-watt (9500 lumens) high-pressure sodium vapor luminaire with photocell shall be used at intersections.

B. Street lights shall be on an average no more than 275 feet apart. Placement shall alternate from one side of the street to the other and shall be placed on side property lines. At intersections the street light shall be located near the intersection.

C. The street light fixtures shall be "town and country" or similar lighting fixture with power underground.

D. The lights shall be installed in the space between the curb and sidewalks. In situations where the sidewalk is integral, the street light shall be placed within two feet of the sidewalk.

E. Final placement of street lights shall be approved in writing by the city or its designee.

## Chapter 12.26

### VACATING OR CHANGING SUBDIVISION PLAT

#### Sections:

- 12.26.010 Plat vacation process.**
- 12.26.020 Notice of hearing for plat change.**
- 12.26.030 Grounds for vacating or changing a plat.**
- 12.26.040 Lot line adjustments.**

#### **12.26.010 Plat vacation process.**

A. The planning commission may, with or without a petition, consider any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any street, lot, or alley contained in a subdivision plat at a public hearing.

B. If a petition is filed, the planning commission shall hold a public hearing within 45 days after receipt of a petition.

C. A petition to vacate, alter, or amend a subdivision plat, any portion of a subdivision plat, or a street, lot or alley contained in a subdivision plat shall include:

1. The name and address of all owners of record of real property contained in the entire plat;

2. The name and address of all owners of record of real property located within 400 feet of any street that is proposed to be vacated, altered, or amended; and

3. The signature of each property owner who consents to the petition.

D. When the planning commission proposes to vacate, alter, or amend a subdivision plat, any portion of a subdivision plat, or a street, lot or alley contained in a subdivision plat, they shall consider the issue at a public hearing after giving the notice required by this ~~chapter~~Chapter.

#### **12.26.020 Notice of hearing for plat change.**

A. The planning commission shall cause

notice of the proposed plat change to be mailed to each owner of real property located within 400 feet of the property that is the subject of the proposed plat change, addressed to the owner's mailing address appearing on the most recent assessment rolls of the Salt Lake County Assessor.

B. The notice shall include the date, place, and time when the hearing will be held to consider such proposed plat change.

C. If the proposed change involves the vacation, alteration, or amendment of a street, the planning commission shall also cause notice of the date, place, and time of the hearing regarding the matter to be given as required by UTAH CODE ANN. § 10-9a-609.5, as amended by publishing the notice at least 14 days prior to such hearing in a newspaper of general circulation in the city and posting a notice in three public places in the city at least 14 days prior to such hearing.

#### **12.26.030 Grounds for vacating or changing a plat.**

A. Within 30 days after the public hearing required by this ~~chapter~~Chapter, the planning commission shall consider the petition.

B. If the planning commission is satisfied that neither the public nor any person will be materially injured by the proposed vacation, alteration, or amendment, and that there is good cause for the vacation, alteration, or amendment, then the planning commission may ~~recommend to the mayor to vacate, alter or amend the plat, any portion of the plat, or any street or lot.~~

C. The planning commission shall ~~may~~ ensure that the vacation, alteration, or amendment is recorded in the office of the Salt Lake County Recorder.

D. An aggrieved party may appeal the planning commission's decision to the city's designated appeal authority ~~mayor~~ within ten ~~ten~~ days after the planning commission decision.

**12.26.040 Lot line adjustments.**

Petitions to adjust lot lines between adjacent properties may be executed upon the recordation of an appropriate deed if:

A. No new dwelling lot or housing unit results from the lot line adjustment;

B. The adjoining property owners consent to the lot line adjustment;

C. The lot line adjustment does not result in remnant land that did not previously exist;

D. The adjustment does not result in violation of applicable zoning requirements; and

E. The petition has been reviewed and approved by the community development director or his designee prior to recordation with the Salt Lake County Recorder's office.

## Chapter 12.28

### PROPERTY IDENTIFICATION

#### Sections:

- 12.28.010 Purpose.**
- 12.28.020 Duty to identify property.**
- 12.28.030 Definitions.**
- 12.28.040 Names of streets designated in official street and address files.**
- 12.28.050 System of numbering.**
- 12.28.060 Display of property identification number.**
- 12.28.070 Property identification approval required for building and occupancy permit.**
- 12.28.080 Property identification approval required for final plat approval.**
- 12.28.090 Street identification change.**
- 12.28.100 System of street identification signs.**
- 12.28.110 Thoroughfare identification signs.**
- 12.28.120 Street signs—Compliance.**
- 12.28.130 Street signs—Requirements.**
- 12.28.140 Enforcement and violation.**
- 12.28.150 Nonconforming properties—Time for completion.**
- 12.28.160 Penalty.**
- 12.28.170 Severability.**

#### **12.28.010 Purpose.**

It is the purpose of this ~~chapter~~Chapter to establish in the city a uniform system of property identification in order to foster uniformity and order among street names and numbers and structure numbers within the city and to provide an adequate system of property identification for the providers of emergency services within the boundaries of the city.

#### **12.28.020 Duty to identify property.**

It shall be the duty of the community development director or his designated officer

to establish a uniform property identification system in the city, to name and number all streets therein and to designate numbers for houses or buildings fronting upon all such streets, to issue property identification certificates and to enforce the provisions of this ~~chapter~~Chapter, consistent with the purpose of this ~~chapter~~Chapter.

#### **12.28.030 Definitions.**

As used in this ~~chapter~~Chapter:

A. "Address (situated address)" means a unique alphanumeric descriptor which identifies the property location of a parcel of land, a building or other structure on the county wide grid system.

B. "Property identification certificate" means the official documentation, including a certificate number and the registration of a legal situs address, which is issued to the owner/resident for their parcel, building or premises dwelling. The official situs address may also be designated on final plats recorded in the office of the county recorder.

C. "Address format" means the order of assemblage and structure of the five standardized components (frontage number, directional, thoroughfare name or number, thoroughfare type, substructure suffix) used in the legal situs address.

D. "Baseline street" means the east and west directional street (South Temple Street in Salt Lake City) which intersects with the meridian (Main Street in Salt Lake City) street to benchmark the permanent origin of the county-wide grid system and provide a datum point from which the coordinates of all other thoroughfares and legal situs addresses are calculated.

E. "Directional" means the compass direction of the legal situs address which references the county wide grid and the direction in which the frontage numbers are measured along the roadway of both public and private thoroughfares. When a thoroughfare number is used in the address instead of an alphabetic name, a directional



shall also be used to designate its direction. A directional shall always be abbreviated with the first letter of its compass direction in standardized address format.

F. "Final plat" means a map or chart of a subdivision, PUD, condominium or other proposed development which has been accurately sited or surveyed, and located on the ground so that thoroughfares, alleys, blocks, lots and other divisions thereof can be identified.

G. "Frontage number" means the prefix component of the legal situs address which is numerically sequenced and assigned to a structure or parcel along a thoroughfare according to its relative distance perpendicular to the baseline or meridian axis of the county-wide grid system.

H. "County wide grid system" means the coordinate system which has evolved and developed for identifying address and thoroughfare locations over the greater part of Salt Lake County.

I. "Intersection" means the point on the county-wide grid system which identifies the location where two or more thoroughfares cross one another.

J. "Meridian street" means the north and south directional thoroughfare (Main Street in Salt Lake City) which benchmarks the permanent origin of the county-wide grid system and provides a datum point from which the coordinates of all other streets and legal situs addresses are calculated (see "baseline street").

K. "Official street and address files" means the computer files and associated maps adopted by the city under the provisions of UTAH CODE ANN. § 10-9a-407, as amended, to include any master street plan the "Master Street Plan" of the city, including maps and reports or both, which have been approved by the city ~~planning commission as required by law~~.

L. "Private rights-of-way" means thoroughfares which are retained and

maintained under the ownership of private individuals intended for private use.

M. "Public rights-of-way" means thoroughfares which are dedicated for perpetual public use and are administered by the governing entities in which they are located.

N. "Subdivision" means the division of a tract, or lot or parcel of land into two or more lots, plots, sites or other divisions of land for the purpose, whether immediate or future, of sale or building development or redevelopment, and a plat has theretofore been recorded in the office of the county recorder under a unique name to identify one subdivision from another. In property identification context, "subdivision name" may also be used to identify other conditional use or project names.

O. "Unit locator" is the last component of a legal situs address which is an alphabetical or numerical code used to identify a one-to-one correspondence between a building and high density occupancy structures within the building such as suites, rooms, apartments and condominium units.

P. "Thoroughfare" means any rights-of-way, under public or private ownership for public use, designed for the travel of motorized vehicles to enter and exit through passage and to include the ways used for internal circulation of traffic.

Q. "Thoroughfare name" means the alphabetic name assigned, not including the street type designator, to identify both public and private thoroughfares which are on the county-wide grid, and is one of the primary components of a legal situs address.

R. "Thoroughfare number" means the name of a thoroughfare designated with numerals according to its numerical position on the county-wide grid relative to the baseline or meridian axis streets. Thoroughfare numbers never contain alphanumeric characters (e.g., 2nd South Street). When a thoroughfare number is

designated, a directional corresponding to its orientation on the grid is also required (e.g., 200 South Street).

S. "Thoroughfare type" means a standardized identification descriptor which corresponds to physical and functional characteristics of a thoroughfare (e.g., "Avenue," "Bay," "Boulevard," "Circle," "Court," "Cove," "Drive," "Expressway," "Lane," "Parkway," "Place," "Road," "Row," "Street" and "Way").

T. "Uniform property identification system" means the established regulations and guidelines, as revised from time to time, which define specific procedures for the design and designation of address numbers on all houses and buildings including occupancy units therein as well as the design of names and numbers for streets both public and private including standards for street intersection markers (signs).

#### **12.28.040 Names of streets designated in official street and address files.**

All streets of the city, whether public or private, shall be known by the names by which they are so designated in the official street and address files of the city, filed in the office of the community development director with such additions, changes and corrections of the names as shall from time to time be placed in the official files by ordinance.

#### **12.28.050 System of numbering.**

The community development director, in numbering the houses or buildings upon the streets of the city, shall adhere to the following address format:

A. The initial point of intersection in the county-wide grid system shall be the junction of Main Street (meridian street) and South Temple Street (baseline street axis) in Salt Lake City, and the numbering shall extend thence east, west, north and south, the even numbers always on the right and odd numbers on the left, looking away from the initial

point.

B. Each property identification number must contain:

1. A frontage number component which is numerically sequenced and assigned to a structure or parcel along a street according to its relative distance perpendicular to the baseline or meridian axis of the county wide grid;

2. A direction component referencing the county grid quadrant and the compass direction in which the frontage numbers run, abbreviated with the single letter equivalent for its compass direction (N, E, S or W);

3. A thoroughfare name component consisting of either an alphabetic name or a number name, but not both;

4. Thoroughfare type component, which modifies the name to distinguish specific locational, functional and physical characteristics of the thoroughfare; and

5. A unit locator component, which is an alphabetical or numerical code used to identify high-density occupancy units within a structure having one and the same frontage number component.

C. Thoroughfare names must meet the criteria established pursuant to subsection D of this ~~section~~Section before final approval can be given by the community development director.

D. The community development director shall develop a written policy for thoroughfare and structure identification, elimination of duplicate thoroughfare names, which policy shall be approved by the city council and shall be available for inspection at the offices of the community development director. The thoroughfare identification criteria should take into consideration historical character, local color or theme, locational characteristics, and compatibility with adjacent thoroughfares.

#### **12.28.060 Display of property identification number.**

When a property identification number has been designated by the community

development director, the owner or occupant of such house or building shall cause a painted, carved or cast duplicate of such number at least four inches in height and varying in size according to the setback distance of the structure, and of a shade contrasting with the background upon which the number is mounted, to be located on the structure as provided in this ~~chapter~~Chapter. Such number shall be block numerals (not script) and shall be located in a conspicuous position upon the portion of such structure which faces the thoroughfare identified in the address certificate. The property identification number shall be mounted in a permanent, stationary and durable manner, unobstructed at all times by vines, screens or anything that would tend to hide or obscure the number, and at a sufficient height that the number will be clearly perceptible with the unaided eye from the centerline of the thoroughfare upon which the structure is located.

**12.28.070 Property identification approval required for building and occupancy permit.**

A. No building permit shall be issued until such time as the applicant has paid required fees and applied for and received a legal situs address from the community development director. The official address so issued must appear on the building permit when issued.

B. No occupancy permit shall be issued until such time as the applicant has paid required fees, applied for and received official certificate of property identification, and permanently affixed the official address to the structure and substructure as required in this ~~chapter~~Chapter. The community development director shall have the right to change property identification numbers without notice and with or without cause prior to issuance of an occupancy permit.

**12.28.080 Property identification approval required for final plat approval.**

Property identification approval must be given by the community development director prior to final approval of a subdivision. The property identification approval must appear on the final plat of a subdivision, PUD, condominium or other proposed development prior to final approval and upon amendment. The developer shall pay for and the city arrange to manufacture and install all thoroughfare identification signs as required by the community development director.

**12.28.090 Street identification change.**

A.—Upon application from at least 75%~~seventy-five percent~~ of the owners of structures located upon a thoroughfare for a change in thoroughfare name identification, and upon payment of a minimum fee (\$250), the community development director shall review the application and make a determination as to the propriety of the requested change. If the request is granted by the city, the balance of the associated costs for the name change shall be paid before the thoroughfare designation shall be included in the official street file of the city and in the official property identification numbers (addresses) assigned to such thoroughfare.

B. If, in the opinion of the ~~manageryor~~manager, a requested change of thoroughfare name identification is necessary for the protection of the public health, safety and welfare of the citizens of the city, the ~~manageryor~~manager may, at his discretion, waive payment of the fee and associated costs for such change and for issuance of new property identification certificates.

**12.28.100 System of street identification signs.**

It shall be the duty of the community development director to establish a uniform system for thoroughfare identification signs upon all streets of the city.

**12.28.110 Thoroughfare identification signs.**

Thoroughfare identification signs, approved by the city, shall be paid for by the developer or property owner with manufacturing and installation arranged by the city at the intersections of all streets and highways and at such other locations as may be determined to be necessary by the community development director.

**12.28.120 Street signs—Compliance.**

It is unlawful to erect or maintain any thoroughfare identification sign which has not been approved by the community development director.

**12.28.130 Street signs—Requirements.**

All street signs shall be constructed and installed in accordance with the specifications approved by and on file with the city.

**12.28.140 Enforcement and violation.**

A. It shall be the duty of the community development director and his designated officers and deputies to enforce the provisions of this ~~chapter~~Chapter.

B. It is unlawful for any owner of a parcel of land upon which a structure is located to fail to number such structure or units within the structure with the number designated by the community development director. It is unlawful for the owner of any structure or substructure or for the owner or agent of any unoccupied, habitable structure located upon a thoroughfare within the city to fail to number such structure or units within the structure with the designated number in the manner set forth in this ~~chapter~~Chapter. It is unlawful for any person to number a structure or units within a structure in any manner other than that prescribed in this ~~chapter~~Chapter.

**12.28.150 Nonconforming properties—  
Time for completion.**

A. This ~~chapter~~Chapter shall apply to all

thoroughfares, streets, structures, street identification signs and address numbers, public or private, existing within the city at the time of adoption of the ordinance as well as those thereafter created or constructed.

B. Those thoroughfares, streets, structures, signs and address numbers which are not in compliance with this ~~chapter~~Chapter or which fail to comply with the designations made by the community development director pursuant to this ~~chapter~~Chapter at the time of the adoption of the ordinance shall be brought into full compliance by owners not later than 60 days after notification.

**12.28.160 Penalty.**

Any person or entity violating the provisions of this ~~chapter~~Chapter, either by failing to do those acts required herein, or by doing any act prohibited herein, is guilty of a misdemeanor.

**12.28.170 Severability.**

The provisions of this ~~chapter~~Chapter are severable and if any provision, clause, sentence, section, word or part thereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts of the ~~chapter~~Chapter or their application to other persons or circumstances. It is hereby declared to be the legislative intent that the ~~chapter~~Chapter would have been adopted if such illegal, invalid or unconstitutional provisions, clauses, sentences, sections, words or parts had not been included therein, and if the person or circumstances to which the ~~chapter~~Chapter or part thereof is inapplicable had been specifically exempted therefrom.

## **Chapter 12.32**

### **HEALTH DEPARTMENT REGULATIONS**

#### **Sections:**

**12.32.010      Adoption of health  
                         regulations.**

**12.32.020      Violations.**

**12.32.010      Adoption of health  
                         regulations.**

The provisions of the health department health regulation no. 12, entitled "Subdivisions," as currently adopted by the health department under authority of UTAH CODE ANN. § 26-24-20, or its successor, are incorporated in their entirety by reference.

**12.32.020      Violations.**

Violation of any provision of any health regulation incorporated into this Title shall constitute a misdemeanor as defined by the UTAH CODE ANN. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such.

## Chapter 12.36

### FEES, ADMINISTRATION AND ENFORCEMENT

#### Sections:

- 12.36.010 Building permit issuance.**
- 12.36.020 Filing fee.**
- 12.36.030 Inspections.**
- 12.36.040 Enforcement authority.**

#### **12.36.010 Building permit issuance.**

From the effective date of this Title, the community development department shall not grant a permit, nor shall any city officer grant any license or permit for the use of any land or the construction or alteration of any building or structure on a lot which would be in violation of any provisions of this Title until a subdivision plat therefor has been recorded or approved as required in this Title. Any license or permit issued in conflict with such provisions shall be void.

#### **12.36.020 Filing fee.**

Any and all persons filing plats with the Salt Lake County Recorder's office shall first have paid all fees required in this Title. In addition, persons filing plats shall pay to the community development department prior to recording, an office checking fee.

#### **12.36.030 Inspections.**

Appropriate agencies and departments of the city shall inspect or cause to be inspected all buildings, street improvements, fire hydrants and water supply and sewage disposal systems in the course of construction, installation or repair. Excavations for the fire hydrants and water and sewer mains and laterals shall not be covered or backfilled until such installation shall have been approved by the community development department. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the inspector.

#### **12.36.040 Enforcement authority.**

The community development department, the Unified Fire Authority or other fire and emergency protection services provider to the city, ~~city fire department~~, the planning commission and such other departments and agencies of city government as are specified under the provisions of this Title are designated and authorized as the agencies charged with the enforcement of the provisions of this Title and shall enter such actions in court as are necessary. Failure of such departments to pursue appropriate legal remedies shall not legalize any violation of such provisions.

## Chapter 12.40

### VIOLATIONS AND PENALTIES

#### Sections:

**12.40.010 Prohibited acts.**

**12.40.020 Violation—Penalty.**

#### **12.40.010 Prohibited acts.**

No person shall subdivide any tract or parcel of land located wholly or in part in the city except in compliance with the provisions of this Ttitle. No person shall purchase, sell or exchange any parcel of land that is any part of a subdivision or a proposed subdivision submitted to the planning commission, nor offer for recording in the office of the Salt Lake Ceounty Recorder any deed conveying such parcel of land or any fee interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this Ttitle.

#### **12.40.020 Violation—Penalty.**

Whoever shall violate any of the provisions of this Ttitle shall be guilty of a misdemeanor and, upon conviction of any such violation, shall be punished as provided by the UTAH CODE ANN. for class B misdemeanors.

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